

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GRAHAM CHASE ROBINSON,

Plaintiff,

- against -

ROBERT DE NIRO and
CANAL PRODUCTIONS, INC.,

Defendants.

Case No.: 1:19-cv-09156 (LJL) (KHP)

**DECLARATION OF
GREGORY R. BENNETT
IN SUPPORT OF DEFENDANTS'
MOTION TO CONDUCT
MENTAL EXAMINATION**

Gregory R. Bennett, an attorney duly admitted to practice before the United States District Court, Southern District of New York, declares pursuant to 28 U.S.C. §1746:

1. I am a Partner at Traub Lieberman Straus & Shrewsberry, LLP, attorneys for Defendants Robert De Niro and Canal Productions, Inc. (collectively, "Defendants"). I submit this declaration in support of Defendants' motion seeking an order, pursuant to Fed. R. Civ. P. 35, allowing them to have their psychiatric expert witness conduct a mental examination of Plaintiff Graham Chase Robinson.

2. Annexed here as **Exhibit A** is a true and correct copy of an April 20, 2020 letter from Defendants' counsel to Plaintiff's counsel.

3. Annexed here as **Exhibit B** is a true and correct copy of Plaintiff's December 16, 2021 Amended Rule 26(a)(1) Initial Disclosures.

4. Annexed here as **Exhibit C** is a true and correct copy of an email from Plaintiff's counsel, dated January 21, 2022.

5. Annexed here as **Exhibit D** is a true and correct copy of an email from Plaintiff's counsel, dated February 18, 2022.

6. Annexed here as **Exhibit E** is a true and correct copy of the report of Plaintiff's psychiatric expert witness, dated February 17, 2022. In accordance with the Court's Rules,

Defendants have refrained from filing this on the public docket at this time.

7. Annexed here as **Exhibit F** is a true and correct copy of my email to Plaintiff's counsel, dated March 9, 2022.

8. Annexed here as **Exhibit G** is a true and correct copy of an email from Plaintiff's counsel to me, dated March 10, 2022, which is in response to my March 10, 2022 email.

9. Annexed here as **Exhibit H** are true and correct copies of two March 11, 2022 emails from me.

10. Annexed here as **Exhibit I** is a true and correct copy of my March 12, 2022 email to Plaintiff's counsel.

11. Annexed here as **Exhibit J** are true and correct copies of my March 15, 2022 email to a March 13, 2022 email from Plaintiff's counsel.

12. On March 16, 2022, Defendants, through my office, produced those documents required to be produced by the Court's March 9, 2022 Opinion, along with additional documents, to Plaintiff's counsel. At the time Defendants were finalizing the foregoing documents for production, their counsel also spent a significant amount of time looking into certain deficiencies Plaintiff's counsel previously identified concerning more than one of Defendants' sets of document productions. As a result of the foregoing, Defendants intend to produce additional documents in the immediate future.

13. Throughout March 2022, Defendants' counsel have been address ongoing issues Plaintiff's counsel raised regarding the formatting of certain of Defendants' prior document productions, the scheduling of five fact witness depositions and the work of two expert witnesses, who served their reports on March 18, 2022.

14. For all the reasons set forth herein, and in the accompanying papers submitted

herewith, Defendants respectfully submit that they have demonstrated an entitlement to have their expert psychiatric witness conduct a mental examination of the Plaintiff, and for the Court to briefly extend the date for the parties to complete expert discovery, as set forth above.

Dated: Hawthorne, New York
April 1, 2022

Gregory R. Bennett

Gregory R. Bennett